

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ROME DIVISION

The City of Dalton, Georgia, acting
through its Board of Water, Light
and Sinking Fund Commissioners,
d/b/a Dalton Utilities,

Plaintiff,

v.

Civil No. 4:24-cv-00293-WMR

3M Company; Daikin America, Inc.;
EIDP, Inc. f/k/a E.I. DuPont de
Nemours and Company; The
Chemours Company; INV
Performance Surfaces, LLC; Aladdin
Manufacturing Corporation; Shaw
Industries Group, Inc.; Shaw
Industries, Inc.; and DOES 1-10,

Defendants.

**SHAW INDUSTRIES GROUP, INC. AND SHAW INDUSTRIES, INC.’S
MOTION TO DISMISS PLAINTIFF’S FIRST AMENDED COMPLAINT**

Pursuant to Federal Rule of Civil Procedure 12(b)(6), Defendants Shaw Industries Group, Inc. and Shaw Industries, Inc. (collectively, “Shaw”) respectfully move the Court to dismiss Plaintiff’s First Amended Complaint in its entirety for failure to state a claim upon which relief may be granted. The grounds for this Motion are set forth more fully in Shaw’s accompanying Memorandum of Law in Support.

Date: May 16, 2025.

Respectfully submitted,

/s/ Jennifer B. Dempsey

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and Shaw Industries Group, Inc.*

CERTIFICATION UNDER L.R. 7.1.D.

Pursuant to Northern District of Georgia Civil Local Rule 7.1.D., the undersigned counsel certifies that the foregoing filing is a computer document and was prepared in Times New Roman 14 point font, as mandated in Local Rule 5.1.C.

/s/ Jennifer B. Dempsey

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Civil Action No.:
4:24-cv-00293-WMR

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 16, 2025, I electronically filed the foregoing **SHAW INDUSTRIES GROUP, INC. AND SHAW INDUSTRIES, INC.'S MOTION TO DISMISS PLAINTIFF'S FIRST AMENDED COMPLAINT** with the Clerk of Court by using the CM/ECF system which has notified all counsels of record.

/s/ Jennifer B. Dempsey

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